

REMARKS/ARGUMENTS

After the foregoing Amendment, claims 8, 13, 14, 16 and 22-28 are currently pending in this application. Claim 28 is amended to correct an informality.

Claim Objections

Claim 28 is amended to overcome the objections raised by the Examiner. The withdrawal of the objection to the claim 28 is respectfully requested.

Claim Rejections - 35 USC § 103

Claims 8, 13, 22-23 and 26-27 are rejected under 35 U.S.C. 103(a) as obvious over US Patent No. 6,393,286 to Svensson (hereinafter "Svensson") in view of U.S. Patent No. US 7,242,934 to Kubosawa (hereinafter "Kubosawa"). Applicants respectfully traverse this rejection. Svensson and Kubosawa cannot be combined to create a *prima facie* case of obviousness because to do so would change the principle of operation of Svensson. Further, assuming *arguendo* that Svensson and Kubosawa may be combined, this combination does not suggest the entire subject matter of the current claims.

Independent claims 8, 22 and 26 provide for translation of Quality of Service (QoS) requirements between wireless communication systems of different types.

Claim 8, for example, is directed at a wireless transmit/receive unit (WTRU), and recites in part:

an application configured to establish a session in the first wireless communication system using the QoS requirements of the first wireless communication system and, in response to a handover to the second wireless communication system, to continue the session in the second wireless communication system using the translated QoS requirements.

Claim 8 is neither described by any combination of Svensson and Kubosawa because no combination of these references teach or suggest the feature of “an application configured to establish a session in the first wireless communication system using the QoS requirements of the first wireless communication system and, in response to a handover to the second wireless communication system, *to continue the session in the second wireless communication system using the translated QoS requirements.*”

Svensson teaches that UMTS-formatted measurement data is translated to GSM-formatted measurement data. The GSM-formatted measurement data is then transmitted to a Base Station Controller (BSC) in a GSM network. The measurement data is used for making handover decisions. Nowhere, however, does Svensson suggest that the translated measurement data is used in a session after a handover is performed. For at least this reason, Svensson does not suggest “an application configured to establish a session in the first wireless communication

system using the QoS requirements of the first wireless communication system and, in response to a handover to the second wireless communication system, to continue the session in the second wireless communication system using the translated QoS requirements” as claimed.

It is submitted that **Kubosawa does not teach continuing the session in the second wireless communication system using the translated QoS requirements.**

Kubosawa in col. 4, lines 58-67 specifies:

The controller 50 judges whether handover is needed or not, based on the communication quality measured at the receivers 22 and 32 and information designated by the user or the handover designating information storing in the memory 65. And only a case that the handover is needed and is possible, *the controller 50 executes the handover*. In case that the handover is needed but is not possible, this situation is informed to the user by using one of or all of the lamp 63, the buzzer 64, and the LCD 66, and the controller 50 requires the user to input the instruction of the user. (Emphasis Added).

Kubosawa teaches that handover may be based on QoS requirements. Nowhere, however, does Kubosawa suggest that QoS requirements of the first system are used after a handover to the second system. Accordingly, no combination of Svensson or Kubosawa teaches continuing a session in a second wireless communication system using translated QoS requirements. For at least this reason claim 8 is non-obvious over Svensson and Kubosawa.

Claims 22 and 26, though not identical to claim 8, recite similar elements to those found in claim 8. Claims 22 and 26 are non-obvious over Svensson and Kubosawa for similar reasons to those set forth above regarding claim 8. Claims 13, 23, and 27 are non-obvious over this combination at least by virtue of their respective dependencies upon claims 8, 22, or 26.

Claim 28 stands rejected as obvious over Svensson in view of Kubosawa, and further in view of US Patent No. 6,608,832 to Forslow (hereinafter "Forslow"). Claims 14, 16, and 24-25 stand rejected as obvious over the combination of Svensson, Kubosawa and U.S Patent No. 7,149,524 to Reynolds (hereinafter "Reynolds"). For the reasons set forth above, Svensson and Kubosawa cannot be combined with Forslow and/or Svensson to create a prima facie case of obviousness. For at least this reasons, claims 14, 16, and 24-25 are non-obvious over a combination of Svensson, Kubosawa, and/or Forslow and/or Svensson. Further, even assuming *arguendo* that these references could be combined, this combination does not suggest the elements of independent claims 8, 22, and 26 argued above. For at least this additional reason, claims 8, 22, and 26 are non-obvious over the combination of Svensson, Kubosawa, Forslow, and Svensson. Claims 14, 16, 24-25, and 28 are non-obvious over this combination of references (or any sub-combination thereof) at least by virtue of their respective dependencies upon claims 8, 16, or 26.

Applicant: Hunkeler et al.
Application No.: 10/679,804

For the reasons set forth above, withdrawal of the § 103(a) rejection of claims 8, 13-14, 16, and 22-28 is respectfully requested.

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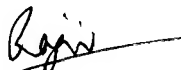
Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephonic interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Hunkeler et al.

By 

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